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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/083,585	02/27/2002	Yukiko Iwasaki	03560.002998	7427

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EXAMINER

SARKAR, ASOK K

ART UNIT

PAPER NUMBER

2829

DATE MAILED: 05/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/083,585

Applicant(s)

IWASAKI ET AL.

Examiner

Asok K. Sarkar

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-58 is/are pending in the application.
- 4a) Of the above claim(s) 1-24 and 40-58 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 25-29 and 33-39 is/are rejected.
- 7) ☒ Claim(s) 30-32 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Election/Restrictions*

1. Applicant's election without traverse of Species III claims 25 – 39 in Paper No. 8 is acknowledged.
2. Claims 1 – 24 and 40 – 56 were withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected Species claims, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No.8.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 25 – 29 and 34 – 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakaguchi, US 5,856,229 and Ahn, US 6,274,937 in view of Henley, US 6,548,382 and Lee, US 6,486,008.

Regarding claim 25, Sakaguchi teaches a method for manufacturing a semiconductor film by preparing a first member (see Fig. 2B) including a semiconductor substrate 21, a semiconductor layer 23 and a separation layer 22 provided between the semiconductor substrate 21 and the semiconductor layer 23 in column 7, under Embodiment 2. According to Example 3 in page 12, substrate is Si and the layer 23 is GaAs. The resistivity of GaAs is inherently higher than that of the Si as shown by Ahn in column 3, lines 1 – 3. Sakaguchi teaches separating the separating the

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semiconductor layer 23 from the semiconductor substrate 21 at the separation layer 22 with reference to Figs 2C – 2 E and Example 3 in column 12 by a pulling force.

Sakaguchi fails to teach separating the layer by heating the first member by induction heating.

Henley and Lee teach a very similar process of separating a semiconductor layer from a substrate by cleaving the porous layer by using an electromagnetic field for induction heating (see Henley in column 8, lines 45 – 48 and Lee in column 5, lines 41 – 50.

Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention to modify Sakaguchi by separating the porous layer by applying induction heating since Henley teaches that controlled cleavage can be initiated in the porous layer with the help induction heating and Lee teaches that induction heating afford even heating.

Regarding claim 26, Sakaguchi teaches bonding a second member 24 onto the semiconductor layer (see Fig. 2C) before separation.

Sakaguchi fails to teach bonding a second member that is hardly heated by induction heating.

Henley and Lee teach induction heating for cleaving the porous layer and Henley specifically teaches the importance of localized heating instead of the global heating in column 8, lines 60 – 65 and the use of thermal sink in column 8, lines 45 - 56. Henley also teaches that energy can be applied only to the donor wafer (substrate of the first member) in column 8, lines 3 – 5.

Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention to modify Sakaguchi by applying the induction heating in such a way that the heating is localized within the porous area through the first member and not heating the second member (receptor wafer) so that the cleaving action is properly initiated at the intended location as taught by Henley.

Regarding claim 27, Sakaguchi teaches insulative supporting substrate of silicon oxide in column 9, lines 13 – 25.

Henley teaches supporting substrate of dielectric materials in column 6, lines 49 – 56. The dielectric/insulative materials for the second member will inherently have higher resistivity than the first member since the first member is a semiconductor material.

Regarding claims 28 and 29, GaAs will inherently have resistivity higher than 1 Ohm.cm and the Si substrate especially p and n-type substrates will have resistivity in the order of 0.1 Ohm.cm or less.

Regarding claim 34, Sakaguchi fails to disclose forming slits in the separation layer before induction heating.

Henley teaches various ways to initiate the cleaving in column 8, lines 1 – 65, including initiating first cleaving and then sustaining it with other forms of energy.

Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention to modify Sakaguchi by initiating the cleavage by forming crack slits and then apply the heating to sustain the cleavage in order to obtain a defect free separation of the two layers.

Regarding claims 35 and 36, Henley teaches simultaneous application of various energies for the cleaving action throughout column 8 and especially in lines 58 – 60 including the fluid and mechanical forces, which include tensile, compressive and shear forces.

Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention to modify Sakaguchi by initiating the cleavage by simultaneous application of thermal and mechanical or hydrostatic pressure as taught by Henley in order to obtain a defect free separation of the two layers.

Regarding claims 37 – 39, Sakaguchi teaches removing the porous layer residue from the separated layer, separated substrate and reutilization of substrate for subsequent processing in columns 4 and 5 under the heading "Summary of the Invention".

5. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sakaguchi, US 5,856,229 and Ahn, US 6,274,937 in view of Henley, US 6,548,382 and Lee, US 6,486,008 as applied to claim 25 above, and further in view of Wada, US 6,222,167.

Sakaguchi and Ahn in view of Henley and Lee teach induction heating but fails to teach heating by mounting the first member on an induction –heating mount around which a coil is wound and causing the current to flow in the substrate by supplying the coil with a high frequency current.

Induction heating is a well-known heating method and Wada shows in Fig. 8 and in column 2, lines 6 – 9 that a coil 7 is wound around the material 8 to be heated by

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causing the current to flow in the substrate by supplying the coil with a high frequency current.

Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention to modify Sakaguchi by separating the porous layer by using induction heating as taught by Henley and Lee and use the high frequency coil taught by Wada since this is a well-known prior art process for induction heating.

***Allowable Subject Matter***

6. Claims 30 – 32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asok K. Sarkar whose telephone number is 703 308 2521. The examiner can normally be reached on Monday - Friday (8 AM- 5 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kammie Cuneo can be reached on 703 308 1233. The fax phone numbers for the organization where this application or proceeding is assigned are 703 308 7722 for regular communications and 703 308 7722 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308 4918.

Asok K. Sarkar  
May 15, 2003



KAMAND CUNEO  
SUPERVISORY PATENT EXAMINER  
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